

REMARKS

This Preliminary Amendment is filed in response to the FINAL Office Action mailed on May 18, 2004; and also in response to the Advisory Action mailed on September 13, 2004; and in the Request for Continued Examination (RCE) filed on even date herewith. All objections and rejections are respectfully traversed.

Claims 1- 51 are in the case.

No Claims were amended.

Claims 22-51 were added to better claim the invention

Please enter and consider the Amendment after FINAL rejection filed under 37 C.F.R. § 1.116 on July 19, 2004. The claims 1-21 are written hereinabove assuming that the amendments made in the Amendment after FINAL rejection were entered.

At Paragraphs 2-3 of the FINAL Office Action claims 1, 2, 7-9, 11, 13-18, 20, and 21 were rejected under 35 U.S.C. § 102(e) as being anticipated by Waldo U. S. Patent No. 6,185,611 issued on February 6, 2001.

Applicant files herewith an Affidavit pursuant to 37 C.F.R. 1.131 swearing that the present invention was complete on or before October 1997.

The effective date of Waldo is the filing date of Waldo, and is March 20, 1998.

Accordingly, since the filing date of Waldo is after applicant's date of conception and reduction to practice, Applicant respectfully urges that Waldo be removed as art cited against Applicant's present invention.

At Paragraphs 4-5 of the FINAL Office Action, Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Waldo in view of "Monitoring Distributed Systems by Joyce.

Applicant respectfully points out that claim 10 is dependent, and is dependent from an independent claim which is believed to be in condition for allowance. Accordingly, claim 10 is believed to be in condition for allowance.

At Paragraph 6 of the FINAL Office Action, claims 12 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Waldo in view of "Unifying Distrib-

uted Processing and Open Hypermedia through Heterogeneous Communication Model”
by Goose, et al.

Applicant respectfully points out that claims 12 and 19 are dependent, and are dependent from independent claims which are believed to be in condition for allowance. Accordingly, claims 12 and 19 are believed to be in condition for allowance.

At Paragraph 7 of the FINAL Office Action claims 3 and 4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Waldo in view of “Red Hat Linux Unleashed” by Husain.

Applicant respectfully points out that claims 3 and 4 are dependent, and are dependent from independent claims which are believed to be in condition for allowance. Accordingly, claims 3 and 4 are believed to be in condition for allowance.

At Paragraph 8 of the FINAL Office Action claims 5 and 6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Waldo in view of Husain and further in view of “Unifying Distributed Processing and Open Hypermedia through Heterogeneous Communication Model” by Goose.

Applicant respectfully points out that claims 5 and 6 are dependent, and are dependent from independent claims which are believed to be in condition for allowance. Accordingly, claims 5 and 6 are believed to be in condition for allowance.

At Paragraph 9 of the FINAL Office Action claims 8 13, and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over “Monitoring Distributed Systems” by Joyce in view of Bonnell U. S. Patent No. 5,655,081.

The present invention, as set forth in representative claim 8, comprises in part:

8. (Previously Presented) A computer workstation for use in a computer network having at least one process manager, the workstation comprising:
at least one application or process;
a network communication facility;
a user interface application; and
a configuration service layer in communicating relationship with the at least one application or process and the network communications facility,
wherein the at least one application or process and the configuration service layer cooperate to generate and issue, through the network communication facility, a registration service request to the at least one process manager upon opening of the at least one application or process at the computer workstation and wherein the process manager is configured to generate and forward a notification message that identifies the new application or process to the user interface application in response to receiving the registration service request.

Joyce discloses independent processes executing on a plurality of computers. In each computer, there is a “channel” process which detects interesting information from one or more processes executing on that computer, and upon detecting such information from processes executing on that computer, packages the information and sends the information to one or more consoles. The consoles are then used to monitor the processes on the plurality of computers, where the monitoring is based on the information sent to the consoles by the “channel” processes. A console is normally a process running on a specific workstation. A send event from a channel process is blocking, that is the channel process blocks execution of the process which it is monitoring, and does not un-block the process until the channel process receives a response from a console. Upon receipt of a response, the channel process may un-block the process which it is monitoring, in order to prevent an illegal sequence of events in the process being monitored. The monitoring functions are hard coded into the various processes.

Bonnell discloses a management software system running on one computer, and a plurality of server software systems with agent software monitoring the servers. The agents send messages to the management software giving events, values, etc. read from their servers. The management software can instruct the agent as to which data it wants to receive, and the agent keeps the data needed to satisfy the console, and does not waste resources by keeping extra data. An agent may act as a higher level agent collecting data from sub-agents, and then send the collected data to the management software.

Applicant respectfully urges that neither Joyce nor Bonnell disclose Applicant's claimed novel *the at least one application or process and the configuration service layer cooperate to generate and issue . . . a registration service request to the at least one process manager upon opening of the at least one application or process at the computer workstation and wherein the process manager is configured to generate and forward a notification message that identifies the new application or process to the user interface application in response to receiving the registration service request.*

That is, Applicant claims *the at least one application or process and the configuration service layer cooperate to generate and issue . . . a registration service request to the at least one process manager upon opening of the at least one application or process at the computer workstation.* Applicant claims an *application process* which, *upon opening of the at least one application process*, the application process registers with the process manager. In response the process manager forwards notice of the registration to a user interface.

In contrast, both Joyce and Bonnell disclose monitoring agents which obtain data from processes which they are monitoring, and send that data to a monitoring console or workstation.

Both Joyce and Bonnell are silent concerning a *process*, which *upon opening*, sends a *registration request* to a *process manager*, and then the process manager *identifies the registration to a user interface*.

Further, both Joyce and Bonnell are silent concerning *a process*, which upon opening, sends *a registration message* to a process manager.

Both Joyce and Bonnell disclose monitoring programs, both are entirely silent concerning a process which contacts the process manager.

Accordingly, Applicant respectfully urges that Joyce and Bonnell, taken either singly or in any combination are legally precluded from rendering the presently claimed invention obvious under 35 U.S.C. 103 because of the absence from both Applicant's claimed novel *the at least one application or process and the configuration service layer cooperate to generate and issue . . . a registration service request to the at least one process manager upon opening of the at least one application or process at the computer workstation and wherein the process manager is configured to generate and forward a notification message that identifies the new application or process to the user interface application in response to receiving the registration service request*.

At page 14 of the Office Action at the section “*Response to Arguments*” disclosures of Waldo are discussed. However, Waldo has been removed as a reference in the present Application for U.S. Patent.

Further, at the second paragraph, the Examiner states:

“The examiner used the teachings of Bonnell in teaching that a process that is monitored on on system sends messages / information over a network to a console for handling. Therefore in the combination the event is sent from a remote system to the console for display.”

Applicant respectfully points out that Bonnell has “channel” software which monitors processes, and does not teach the process itself contacting the management software. Also, Joyce has “agents” which monitor processes, the process of Joyce do not contact the management software.

Accordingly, Applicant respectfully urges that both Joyce and Bonnell are silent concerning Applicant’s claimed process which directly contacts the management software.

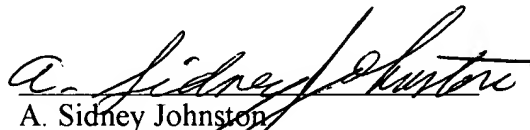
All independent claims are believed to be in condition for allowance.

All dependent claims are believed to be dependent from allowable independent claims, and therefore in condition for allowance.

Favorable action is respectfully solicited.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

A handwritten signature in cursive script, reading "A. Sidney Johnston", written over a horizontal line.

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